

Dealer Update

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Limited and Rancher Private Applicator licenses become permanent

On January 1, WSDA will permanently implement two licenses in eastern Washington counties developed to help combat weeds on non-production and limited production agricultural (ag) land.

The Limited & Rancher Private Applicator licenses were developed as an alternative to the broad-based Private Applicator license. The limited license allows landowners to apply restricted use **herbicides** on non-production ag land, such as pastures, rangeland and areas around farm buildings. The rancher license allows the use of restricted use **herbicides and rodenticides** on non-production ag land and on limited production ag land where grain and hay are grown for primarily personal use. Under this very strict allowance, ranchers may only sell 10 percent of the hay and grain they grow. Neither license may use aquatic herbicides.

For both licenses, noxious weed control in mixed rangeland-timber areas is permissi-

ble for the sole purpose of controlling weeds designated for mandatory control under state or local regulations. Herbicide applications to control any other type of competing vegetation on forest lands for the purpose of improving timber growth

or survival is **not** permissible.

As compared to the Private Applicator license that must be renewed yearly, the new licenses are valid for five years and have reduced fee and recertification requirements. The limited li-

cence carries a \$25 fee and requires eight weed control related credits every five years. The rancher license carries a \$75 fee and requires 12 credits every five years.

Neither of these licenses is intended for production agriculture! Holders of the licenses **may not** buy or apply restricted use insecticides or fungicides. And holders **may not** apply restricted use herbicides or rodenticides on land that is not classified as *nonproduction or limited production*.

LIMITED & RANCHER PRIVATE APPLICATOR WEB PAGE

agr.wa.gov/PestFert/

LicensingEd/

LimitedandRancherPAL.htm

Pesticide Notes contains useful information

The July issue of *Pesticide Notes* contained several articles of interest to Pesticide Dealers. These include:

- **How to be a stellar sponsor** – Contains all the information you need to sponsor a WSDA accredited recertification program. The article details the different types of courses, responsibilities of sponsors and the kinds of problems that can delay sponsorship of a course.

Pesticide Notes, including articles not available in the printed version, is available on-line at <http://agr.wa.gov/PestFert/Publications/Newsletter/default.htm>

- **Feds introduce new chemical security rules** – Details new federal requirements for storage and transportation of hazardous agricultural products. The article also explains state requirements already in place.

- **Think twice about following 'off-label' recommendations** – This WSDA 'Case Files' article details what can happen when a crop consultant recommends an off-label pesticide use.

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INFORMATION

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SPANISH PESTICIDE EDUCATION

Are you or a client interested in pesticide safety education conducted in Spanish? WSDA provides high quality training to handlers, applicators and Worker Protection Standard trainers. For a flyer of courses, go to <http://agr.wa.gov/PestFert/LicensingEd/FarmworkerEducation.htm>

Dealer responsibilities with the new licenses

As with all sales of restricted use pesticides (RUPs), dealers will be responsible for ensuring that those claiming to be Limited or Rancher Private Applicators have a current license and are who they claim to be. (Federal RUPs are indicated as such on the product label. State RUPs are designated in WAC 16-228-1231 of the General Pesticide Rules. Pesticide laws and rules are available at <http://agr.wa.gov/PestFert/Pesticides/LawsRules.htm>)

If a Limited or Rancher Private Applicator wants to buy a RUP, make sure that it is one they can legally use. The limited license only allows the use of restricted use **herbicides**. The product must be labeled for use on a site included in the definition of non-production ag land (see page 1). Rancher Private Applicators may only use restricted use **herbicides and rodenticides**. The product must be labeled for a site included in the definition of non-production or limited production ag land (see page 1).

Since neither license allows aquatic applications, they may not buy products labeled solely for use in water. (Aquatic

pesticides are designated as state restricted use.) They may purchase a product with dual labeling (aquatic and terrestrial uses) **IF** their license allows the latter use. In this case, the buyer must sign the invoice stating that they will only use the product for the allowed use. Keep in mind that sales of **General Use** pesticides do not require a pesticide license.

Pesticide dealers are required by Washington law to keep records on the distribution of all non-home and garden pesticides and to make these records available to WSDA upon request. These records must be maintained for seven years. (See record keeping article on page 3.)

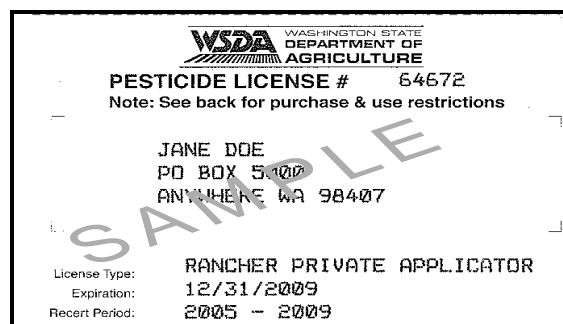
For fact sheets on restricted use pesticides, dealer and applicator record keeping requirements and legal requirements for storage and transportation of pesticides, go to the web publication, *Pesticide Law Hand-out Booklet*, at <http://agr.wa.gov/PestFert/Pesticides/docs/PesticLawsBooklet.pdf>.

Record keeping questions can be directed to Compliance Services toll free at (877) 301-4555.

Unique pesticide license card developed

Because the Limited and Rancher Private Applicator licenses are five-year licenses, WSDA developed a unique license card for these two licenses. The front is similar to other WSDA licenses, and includes the license number, name and address of the licensee along with their recertification cycle. Unlike other license types, these cards display the license expiration date on the front panel.

The back of the license includes definitions of the two license types and the restrictions associated with purchase and use of restricted use pesticides.



The new license card is used only for Limited and Rancher Private Applicators.

Study material for the Limited and Rancher licenses

The study material for both the limited and rancher exams is WSU's *Private Applicator Pesticide Education Manual* (MISC0126). The manual is available from the WSU Bulletin Office at <http://cru.cahe.wsu.edu/CEPublications/c0886/c0886.pdf> or by calling 800.723.1763. It may also be available from county extension offices. In addition, individuals should study the on-line WSU weed supplement at <http://pep.wsu.edu/Paweed.html>.

Both the limited and rancher exams include questions on general pesticide law, safety and application topics. Both exams cover pest management, weeds and weed control.

The rancher exam also includes questions on vertebrate pest control. Neither exam includes questions on insects, diseases or their control.

All sections of the manual should be studied **EXCEPT** those on organophosphate and carbamate insecticide poisoning, management of insects and mites, and plant diseases and plant health. Those studying for the rancher exam should study the section on "Vertebrate Pest Management" while those studying for the limited exam do not need to study this section. Both license types should study all of the on-line weed supplement.

Dealers must provide supplemental atrazine label

A number of atrazine label revisions have resulted from a re-registration agreement that registrants reached with EPA to protect vulnerable community drinking water systems. This agreement harmonizes the labels of all atrazine products and establishes the monitoring program that will help clarify potential risks to drinking water and ecological systems.

To comply with this agreement, atrazine products in the channels of trade must have a sticker affixed that requires use in accordance with supplemental labeling. Every manufacturer is responsible for stickering their own products. It is the responsibility of dealers to provide the referenced supplemental labeling to any customers purchasing an atrazine product. Product previously sold to a customer does not need to be stickered or relabeled.

Dealers should encourage their customers to carefully read and follow the supplemental labeling, which supersedes the container label. This labeling addresses new watershed monitoring programs, changes PPE requirements and preharvest intervals for some atrazine formulations, revises maximum application rates for certain uses and provides contact information for the Atrazine Watershed Information Center (<http://www.atrazine-watershed.info/>).

The Nebraska Department of Agriculture has developed a very comprehensive Web site to address the recent changes to atrazine use at http://www.agr.state.ne.us/division/bpi/pes/atrazine_moa.htm. Registrants of atrazine have also developed product specific information on their Web sites and should be contacted directly with questions on these changes.

Pesticide rule changes affect dealer record keeping

Pesticide dealers have long been required to maintain records of restricted use pesticide (RUP) sales. Revision to WAC 16-228-1300 of the General Pesticide Rules now requires them to keep records on the sales of non-home and garden, general use pesticides (GUP). The information that dealers must keep depends on the type of product being distributed.

Records of RUP sales must contain:

- Full name and address of certified applicator
- Full name of authorized agent (if applicable)
- Brand, specific pesticide name and EPA registration number of the pesticide distributed
- Number of pounds or gallons of the pesticide distributed
- Date of distribution
- Certified applicator's license number
- Crop or site to which the pesticide will be applied

Records of GUP sales must contain:

- Full name and address of purchaser
- Brand, specific pesticide name and EPA registration number of the pesticide distributed
- Number of pounds or gallons of the pesticide distributed
- Date of distribution

A second change requires dealers to confirm the identity of an individual seeking to buy a restricted use pesticide if that person is unknown to the dealer. Positive identification includes a driver's license, military identification card or passport. Proof of identification without a photo is allowable if the individual's religion disapproves of picture taking.

All records must be kept for seven years and made available to WSDA upon request.

Dealers: Check licenses to avoid costly shut-down

Over the past couple years, WSDA has suspended a number of Pesticide Dealer licenses for distributing restricted use pesticides to individuals who were not certified to apply them. Some of those instances involved individuals who were once certified, but did not have a current, valid license at the time of sale.

Remember, suspension of a Pesticide Dealer license shuts down pesticide sales for a particular outlet, a very costly affair. Make sure to check that individuals have a current, proper license with the necessary category to apply the restricted use pesticide they want to purchase.



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Free Pesticide Disposal

WSDA Waste Pesticide Program

The program provides free disposal of unusable or unwanted agricultural and commercial grade pesticide products no matter who owns them. The spring 2005 schedule will be posted on the Internet by mid-January. Fall 2005 will be posted by July.

Visit our Web site at:

<http://agr.wa.gov/pestfert/pesticides/wastepesticide.htm>

Send e-mail to: wastepesticide@agr.wa.gov

Or call toll free: 1-877-301-4555

Note: For disposal of home and garden pesticides and other household hazardous wastes or to find out where you can recycle motor oil, antifreeze and paint, visit the national Web site <http://www.earth911.org> then enter your zip code.

